

02/20/02



JCS20 U.S. PTO

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on February 20, 2002 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number **EL937779080US**, addressed to the Commissioner for Patents, Washington, DC 20231.

Attorney Docket No.: CYTOP002D1

First Named Inventor: Kathleen A. Elias



Sunshine Noriega  
Sunshine Noriega

**UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR. § 1.53(b))**  
(Continuation, Divisional or Continuation-in-part application)

Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

**For:** This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:  
**Kathleen A. Elias**

**For:** **METHOD OF CHARACTERIZING POTENTIAL THERAPEUTICS BY DETERMINING CELL-CELL INTERACTIONS**

Assigned to : Cytokinetics, Inc.

This application is a ☐ Continuation ☒ Divisional ☐ Continuation-in-part

of prior Application No.: 09/741,721, from which priority under 35 U.S.C. §120 is claimed.

**Application Elements:**

☒ 40 Pages of Specification, Claims and Abstract

☒ 8 Sheets of formal Drawings

☒ Declaration

☐ Newly executed

☒ Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional).

The entire disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ Deletion of inventors Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

**Accompanying Application Parts:**

☐ Do not publish this application. Nonpublication Request is attached.

☒ Copy of Assignment and Assignment Recordation Cover Sheet

- ☐ Power of Attorney  
☐ 37 CFR 3.73(b) Statement by Assignee  
☒ Information Disclosure Statement with Form PTO-1449 ☐ Copies of IDS Citations  
☐ Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)  
☒ Return Receipt Postcard  
☐ Other:

Claim For Foreign Priority

- ☐ Priority of \_\_\_\_\_ Application No. \_\_\_\_\_ filed on \_\_\_\_\_  
 is claimed under 35 U.S.C. § 119.  
☐ The certified copy has been filed in prior application U.S. Application No. \_\_\_\_\_  
☐ The certified copy will follow.

Extension of Time for Prior Pending Application

- ☒ A Petition for Extension of Time is being concurrently filed in the prior pending application. A copy of the Petition for Extension of Time is attached.

Amendments

- ☒ Amend the specification by inserting before the first line the sentence: "This is a  
☐ Continuation ☐ Continuation-in-part ☒ Divisional  
 application of co-pending prior  
☒ Application No. 09/741,721 filed on December 18, 2000,  
☐ International Application \_\_\_\_\_ filed on \_\_\_\_\_ which  
 designated the United States,  
 the disclosure of which is incorporated herein by reference."

- ☒ Cancel in this application original claims 1-23 of the prior application  
 before calculating the filing fee. (*At least one original independent claim must be retained.*)

Fee Calculation (37 CFR § 1.136)

☐ Applicant is entitled to Small Entity Status under 37 C.F.R. §1.27.

	(Col. 1) Total Claims		(Col. 2) Claims	(Col. 3) Present Extra	Rate	Additional Fee
TOTAL	22	MINUS	20	= 2	x 18	36.00
INDEP.	2	MINUS	3	= 0	x 84	0.00
[ ] First presentation of multiple dependent claim					\$280	
Basic Filing Fee under 37 C.F.R. §1.16(a)					\$740	740.00
TOTAL						776.00
SMALL ENTITY 50% FILING FEE REDUCTION (if applicable)						

☒ Check No. 5333 in the amount of \$776.00 is enclosed.

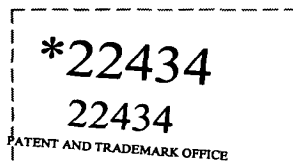
☒ The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 500388 (Order No. CYTOP002D1).

General Authorization for Petition for Extension of Time (37 CFR §1.136)

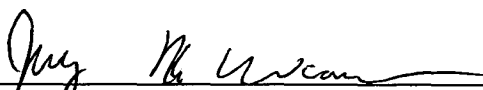
☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 500388 (Order No. CTYOP002D1).

☒ Please send correspondence to the following address:

**Customer Number 022434**



Date: Feb. 20, 2002

  
\_\_\_\_\_  
Jeffrey K. Weaver  
Registration No. 31,314